

Article X Payment Instead of Afforestation and Reforestation

10.1 Forest Conservation Account.

A. There is established a forest conservation account in the local program.

B. If a person subject to this ordinance demonstrates to the satisfaction of the Department that requirements for reforestation or afforestation onsite or offsite cannot be reasonably accomplished, the person shall contribute money, at a rate of 10 cents per square foot of the area of required planting, into the Town of Easton's forest conservation account.

C. Money contributed instead of afforestation or reforestation under this article shall be paid prior to the issuance of any occupancy permit related to the project.

D. The Town shall accomplish the reforestation or afforestation for which the money is deposited within 1 year or two growing seasons, whichever is a greater time period, after receipt of the money.

E. Money contributed under this article shall remain in the account for a period of 2 years or three growing seasons, whichever is a greater time period. At the end of that time, any part that has not been used to meet the afforestation or reforestation requirements shall be returned to the person who provided the money.

F. Money deposited in the Town of Easton's forest conservation account:

(1) May be spent on the costs directly related to reforestation and afforestation, including site identification, acquisition, and preparation; and

(2) Shall be deposited in a separate forest conservation account.

G. Sites for Afforestation or Reforestation Using Fund Money.

(1) Except as provided in Subsection G(2) of this section, the reforestation or afforestation requirement under this article shall occur within the corporate limits of the Town of Easton.

(2) If the reforestation or afforestation cannot be reasonably accomplished in the Town, then the reforestation or afforestation shall occur in Talbot County

or the watershed (in the state) in which the project is located.

H. If there is no local forest conservation account established, a person may contribute to the State fund, which shall determine when contribution is allowable under COMAR 08.19.02.01I.

I. The Town Clerk is authorized to establish a Forest Conservation Fund if it is determined by the Town Clerk to be material.